IN THE COURT OF INQUIRY AUTHORITY AT SURAT

CASE NAME XXXXXXXXX DISCIPLANARY INQUIRY U/R 14 OF THE C.C.S. (C.C.A.) RULES 1965 OF YEAR 2023-24

AFFIDAVIT OF HANSRAJ MEENA

I, XXXXXXXXX aged about 53 years, Son of [Father's/ Name], Resident of [Full Address], do hereby solemnly affirm and state as follows:

1. That I am the Defendant in the above-captioned case and am fully conversant with the facts and circumstances of the case.

2. That during the course of the proceedings, a certain admission was made by me in my previous communicated dated 15/07/2024. The admission was made regarding That **I had admitted this fact that I received copy of the authenticated records related to my case on 15/02/2024**.

3. That upon further review and consultation with legal counsel as well as a new admission made by the disciplinary authority through its letter dated 24/07/2024 numbered as PCIT(AU)-5/Ahd/Inquiry/DP/HRM/2024-25 (which is a fact generated after my admission which reached through speed post to inquiry authority on 18/07/2024) that the original case records are kept in the custody of D.C.I.T. (H.Q.) (Admin) of the office of Principal chief commissioner of income tax, I have come to the realization that the said admission was made under a mistaken belief of facts as I believed in good faith that

certified true copy of the record can be given by the ITO-ward 1 , Navsari as I was of this genuine belief that he was the custodian of the original records but through admission dated 24/07/2024 the disciplinary authority itself admitted the correct location of original records and name of custodian is different from what I had believed, Then I recheck the record and found that the record provided to me is not even certified as true copy nor any date is placed with seal and signature, hence it become clear to me that what is provided to myself , to Inquiry authority and to presenting officer is neither the primary document nor secondary document, based on this believe I immediately filed my objection dated 02/08/2024 .

4. That I wish to bring to the notice of this Hon'ble Court that this mistaken admission, if allowed to stand, would result in manifest injustice to me and potentially lead to an erroneous judgment.

5.That it is a settled legal position, as held by the Hon'ble Supreme Court in cases such as Union of India v. Pramod Gupta (2005) 12 SCC 1 and N. P. Thirugnanam v. Dr. R. Jagan Mohan Rao & Ors. (1995) 5 SCC 115, that an admission made under a mistaken belief can be retracted, especially when such retraction is necessary to serve the ends of justice.

6. That in light of the above, I respectfully request this Hon'ble Court to permit the retraction of the admission made in my previous communication dated 15/07/2024 reached to your court on 18/07/2024 and to consider this affidavit as the correct representation of facts.

7. That this affidavit is made bona fide and in the interest of justice.

8. That the contents of this affidavit are true and correct to the best of my knowledge, information, and belief, and nothing material has been concealed therefrom.

DEPONENT

VERIFICATION

I, XXXXXXX, the above-named deponent, do hereby verify that the contents of this affidavit are true and correct to the best of my knowledge and belief. No part of it is false, and nothing material has been concealed therefrom.

Verified at Surat on this [Day] of [Month], [Year].

DEPONENT

Oath Commissioner/ Notary Details